

C 1844 US/1

# FOR UTILITY/DESIGN CIP/PCT NATIONAL/PLANT ORIGINAL/SUBSTITUTE/SUPPLEMENTAL DECLARATIONS

# RULE 63 (37 C.F.R. 1.63) DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PW FORM

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plure) names are listed below) of the subject matter which is claimed and for which a patent is sought on the INVENTION ENTITLED

METHOD AND DEVICE FOR SEWAGE TREATMENT

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hereby state the bove. I acknow breign priority to application white artificate, or PC	upt I have reviewed and un wiedge the duty to disclost cenefits under 35 U.S.C. 1 ch designated at least one CT International Application	inderstand the contents of the se all information known to me 119(a)-(d) or 365(b) of any for other country that the Units on, filed by me or my assigned, or (2) If no priority claimed	e above identified to be materially reign application of States, listed to disclosing the	I to patentability as defined in n(e) for patent or inventor's c below and have also identifi a subject matter daimed in th	i 37 C.F.R. 1.5 ertificate, or 30 ad below any 1	<ol> <li>Except as not 35(a) of any PCT foreign application</li> </ol>	ed below, I ne International n for patent or	inventor's
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## Rule 56(a) & (b) = 37 C.F.R. 1.56(a) & (b) PATENT AND TRADEMARK CASES - RULES OF PRACTICE DUTY OF DISCLOSURE

(a) ...Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the [Patent and Trademark] Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability...(b) information is material to patentability when it is not cumulative and (1) It also establishes by itself, or in combination with other information, a prima faci case of unpatentability of a claim or (2) refutes, or is inconsistent with, a position the applicant takes in: (i) Opposing an argument of unpatentability relied on by the Office, or (ii) Asserting an argument of patentability

#### PATENT LAWS 35 U.S.C.

### §102. Conditions for patentability; novelty and loss of right to patent

$\sim$	son shall be enutied to a patent unless-	•		
	"the invention was known or used by others in this country, or patente	ed or described	in a printed public	cation in this
<b>\</b> -7	or a foreign country, before the invention thereof by the applicant for		• ,	

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or
- (c) he has abandoned the invention, or
- (d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months\* before the filing of the application in the United States, or
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or
- (f) he did not himself invent the subject matter sought to be patented, or
- (g) Before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

### §103. C ndition for patentability; non-obvious subject matter

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made. . . .
- (c) Subject matter developed by another person, which qualified as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

PAT-116 COG 2/01

Six months for Design Applications (35 U.S.C. 172).